

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 -----x

COPY

5 LEIGHTON TECHNOLOGIES LLC,
6 Plaintiff,
7 Civil Action No.
8 -against- 04 CV 2496
9 (CM) (LMS)

10 OBERTHUR CARD SYSTEMS, S.A.,
11
12 Defendant.
13
14 -----x
15 November 22, 2005
16 12:30 p.m.
17
18 Deposition of BARRY MOSTELLER, taken by
19 Plaintiff, pursuant to notice, at the offices of
20 Sutherland Asbill & Brennan, 1114 Avenue of the
21 Americas, New York, New York, before Tracy
22 Eckhoff, a Shorthand Reporter and Notary Public
23 within and for the State of New York.
24
25

1 BARRY MOSTELLER

2 Q. You also mention in your declaration
3 that the inductive coils are on a plastic
4 substrate. What is your understanding of a
5 plastic substrate?

6 A. A substrate is a base material. A
7 plastic is a flexible material.

8 Q. Do you believe that the plastic
9 substrate has some protective affect on the coils
10 during the lamination process?

11 MR. GASPARO: Objection.

12 A. No.

13 Q. Why not?

14 MR. GASPARO: Objection.

15 A. The pressure would be transferred by
16 the layers.

17 Q. And each one of the layers would have
18 some protective affect on the coils during the
19 lamination process, right?

20 MR. GASPARO: Objection.

21 A. No.

22 Q. Were you aware that Mr. Smith, the
23 founder of Oakwood, was deposed in this case last
24 week?

25 A. No. I don't believe, no.

1 BARRY MOSTELLER

2 Q. And if Mr. Smith testified as founder
3 of Oakwood that each of the layers shown here on
4 this card provided some type of protective affect
5 during the lamination process, would you have
6 reason to disagree with his testimony?

7 MR. GASPARO: Objection.

8 A. I would have a difference of opinion,
9 which I'd like to discuss with him.

10 Q. At a future time.

11 The plastic substrate, does it provide
12 any buffer, in your opinion, from pressure during
13 the lamination process?

14 MR. GASPARO: Objection.

15 A. No more so than any layer in a card.

16 Q. So it would provide some buffer, but
17 no additional buffer than any layer in the card;
18 is that right?

19 MR. GASPARO: Objection.

20 A. My opinion is depending on the
21 lamination cycle it may not be offering any
22 buffer.

23 Q. But in other circumstances, it could
24 offer some buffer?

25 MR. GASPARO: Objection.